

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Case No. 2:21-CV-00680-DMC

**STIPULATION AND
ORDER FOR AWARD OF ATTORNEY'S
FEES AND COSTS PURSUANT TO
28 U.S.C. §§ 1920 AND 2412(d).**

Defendant

After the Court issues an order for payment of EAJA fees and expenses to Plaintiff, the government will consider the matter of Plaintiff's assignment of EAJA fees and expenses to Plaintiff's attorney. The government's ability to honor the assignment will depend on whether the fees and expenses are subject to an offset allowed under the United States Department of the Treasury's Offset Program pursuant to Astrue v. Ratcliff, 130 S.Ct. 2521 (2010). After the order of EAJA fees and expenses is entered, the government will determine if they are subject to an offset.

1 If it is determined that Plaintiff's EAJA fees and expenses are not subject to an offset under
2 Astrue v. Ratcliff, 130 S.Ct. 2521 (2010) and the Department of Treasury's Offset Program, then the
3 check for EAJA fees and expenses shall be made payable to Jacqueline A. Forslund, based upon
4 Plaintiff's assignment of these amounts to Plaintiff's attorney.

5 The parties agree that whether these checks are made payable to Plaintiff or Jacqueline A.
6 Forslund, such checks shall be mailed to Plaintiff's attorney.

7 This stipulation constitutes a compromise settlement of Plaintiff's request for EAJA attorney
8 fees, and does not constitute an admission of liability on the part of Defendant under the EAJA or
9 otherwise. Payment of the agreed amount shall constitute a complete release from, and bar to, any
10 and all claims that Plaintiff and/or Plaintiff's Counsel may have relating to EAJA attorney fees in
11 connection with this action.

12 Respectfully submitted,

13 Date: February 13, 2022

JACQUELINE A. FORSLUND
Attorney at Law

15 /s/Jacqueline A. Forslund
16 JACQUELINE A. FORSLUND
17 Attorney for Plaintiff

18 Date: February 13, 2022

PHILLIP A. TALBERT
Acting United States Attorney
CHRISTOPHER HARRIS
Regional Chief Counsel, Region VI
Social Security Administration

21 /s/Kendall Rees
22 KENDALL REES
23 Special Assistant United States Attorney
24 *By email authorization
25 Attorney for Defendant
26
27
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ORDER

APPROVED AND SO ORDERED

Dated: February 16, 2022

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE